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TRANSMITTAL	Filing
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(to be used for all correspondence after initial filing)

10/699,515 g Date 10/31/2003 **First Named Inventor** Asghar Khaghani **Group Art Unit Examiner Name**

Total Number of Page	s in This Submission	Attorn	iey Docket Number	7978
		ENCLOSURES	(check all that apply)	
Fee Transmittal F	orm	Assignment Papers (for an Application)		After Allowance Communication to Group
☐ Fee Attached	j	Drawing(s)		Appeal Communication to Board of Appeals and Interferences
Amendment / Res	sponse	Licensing-relate	ed Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final		Petition		Proprietary Information
Affidavits/dec	claration(s)	Petition to Conv Provisional App		Status Letter
Extension of Time	e Request	Power of Attorn Change of Corr	ey, Revocation respondence Address	Other Enclosure(s) (please identify below):
Express Abandonment Request		☐ Terminal Disclaimer ☐ Request for Refund		Transmittal of Information Disclosure Statement Within Three Months of Filing or before
Information Disclo	osure Statement	CD, Number of	CD(s)	Mailing Date of First Office Action Form PTO/SB/08A
Certified Copy of Document(s)	Priority	Remarks		,
Response to Miss Incomplete Applic			_	
Response to Parts under 3 1.52 or 1.53	•			
	SIGNA	TURE OF APPLIC	ANT, ATTORNEY, OF	R AGENT
Firm <i>or</i> Individual name	Leslie S. Miller Reinhart Boerner \			
Signature	Ani	1. MM		
Date	July 1, 2004			

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: July 1, 2004 Typed or printed name Leslie S. Miller July 1, 2004 Signature Date

CERTIFICATE OF MAILING

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PATENT APPLICATION

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Reinhart Boerner Van Deuren S.C.

Leslie S. Miller

Date: July 1, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: UNKNOWN

EXAMINER: UNKNOWN

In re application of: Asghar Khaghani)
Application No: 10/699,515)
Application 10. 10.077,515	For: VALVE PROSTHESIS
Filed: October 31, 2003)
Attorney Docket No. 7978)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 July 1, 2004

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 CFR 1.97(b))

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification

containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41."

37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

- NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.
- NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Dated: July 1, 2004 Reg. No. 30,662

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Tel. No.: (414) 298-8321

SIGNATURE OF ATTORNEY

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Milwaukee, WI 53202

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PTO/SB/08A (10-01)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Complete if Known				
Application Number	10/699,515			
Filing Date	10/31/2003	•		
First Named Inventor	Asghar Khaghani			
Group Art Unit				
Examiner Name				
Attorney Docket Number	7978			

U.S. PATENT DOCUMENTS						
Examiner Continuitials * N	Cite	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Releva	
	No. ¹				Passages or Relevant Figures Appear	
		US- 4,501,030	02/26/1985	Lane		
		US- 5,713,953	02/03/1998	Curcio et al.		
		US- 6,171,335	01/09/2001	Wheatley et al.		
		US- 6,364,905	04/02/2002	Casagrande et al.		
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FOREIGN PATENT DOCUMENTS						
-	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,		
Examiner Cite Initials* No.1 Country Code3 - Number4 - Kind Code5 (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶		
	WO 0126703	04/19/2001	Intl. Heart Instit. of Montana			
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	Cite No. ¹	Cite No.1 Country Code3 - Number4 - Kind Code5 (if known)	Cite No.1 Country Code3 - Number4 - Kind Code5 (if known) Publication Date MM-DD-YYYY	Cite No. 1 Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) Name of Patentee or Applicant of Cited Document Nounce of Patentee or Applicant of Cited Document Name of Patentee or Applicant of Cited Document Name of Patentee or Applicant of Cited Document Name of Patentee or Applicant of Cited Document	Cite No.1 Country Code3 - Number4 - Kind Code5 (if known) Name of Patentee or Applicant of Cited Document Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional) . ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.